

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage)

2/27/08

OFFICIAL

Postage \$
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$

Sent To
Chris Maher, Vice Pres. of Development
Garden Corporation
1 Fleet Center Place, Suite 200
Boston, MA 02114

PS Form 3800, April 2002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage)

2/27/08

OFFICIAL

Postage \$
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$

Sent To
Rich Davey, General Counsel
Mass. Bay Commuter Railroad Corp.
89 South Street, Boston, MA 02111

PS Form 3800, April 2002

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

2/27/08

OFFICIAL

Postage \$
Certified Fee
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$

Sent To
Andrew Brennan, Dir. of Env. Affairs, MBTA
10 Park Plaza, Boston, MA 02116-3974

PS Form 3800, April 2002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Chris Maher
Vice Pres. of Development
Garden Corporation
1 Fleet Center Place,
Suite 200
Boston, MA 02114

2. Article Number
(Transfer from service label) 7002 0860 0000 6599 6783

PS Form 3811, February 2004 Domestic Return Receipt MA0028941 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
M. Federsen

B. Received by (Printed Name)
M. FEDERSEN

C. Date of Delivery
2-27-08

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Chris Maher

B. Received by (Printed Name)
Chris Maher

C. Date of Delivery
2-27-08

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Andrew Brennan
Director of Env. Affairs
MBTA
10 Park Plaza
Boston, MA 02116-3974

2. Article Number
(Transfer from service label) 7002 0860 0000 6599 6806

PS Form 3811, February 2004 Domestic Return Receipt MA0028941 102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Rich Davey

B. Received by (Printed Name)
Rich Davey

C. Date of Delivery
2-29-08

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Rich Davey
General Counsel
Mass. Bay Commuter Railroad Corp.
89 South Street, 8th Floor
Boston, MA 02111

2. Article Number



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

1 Congress Street, Suite 1100
BOSTON, MA 02114-2023

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 27th, 2008

Mr. Andrew Brennan
Director of Env. Affairs
MBTA
10 Park Plaza
Boston, MA 02116 - 3974

Mr. Rich Davey
General Counsel
Massachusetts Bay Commuter Railroad Company
89 South Street, 8th Floor
Boston, MA 02111

Mr. Chris Maher
Vice President of Development
Garden Corporation
1 Fleet Center Place, Suite 200
Boston, MA 02114

Re: Reapplication Requirements for NPDES Permit - MA0028941 -- Mass. Bay Transportation Authority, Mass. Bay Commuter Railroad Company & Garden Corporation

Dear Misters Brennan, Davey and Maher:

Enclosed is the National Pollutant Discharge Elimination System (NPDES) website address for you to download the appropriate forms and apply for your permit renewal. Your NPDES permit expires in February 2009 and your forms should be returned to this office no later than 180 days prior to the expiration date of the current permit, which is by **September 2008**. The NPDES reapplication forms which you need to fill out are Forms 1, 2C and 2F. These forms can be obtained online through EPA New England's website at:

http://www.epa.gov/region1/npdes/epa_attach.html#epaf

After you have downloaded and filled out the forms, you must print and sign (signature must be an original, not electronic or photocopied) and return them to this office no later than 180 days prior to the expiration of the current permit. EPA regulations provide that the conditions of an expired permit continue in force until the effective date of a new

permit if the permittee has submitted a timely and complete application, 40 CFR §122.6. If the enclosed application forms are completed and returned no later than one hundred and eighty (180) days prior to the permit expiration date, we will consider this a timely application under 40 CFR §122.21 and will consider the old permit to remain fully in force under 40 CFR §122.6.

CZM:

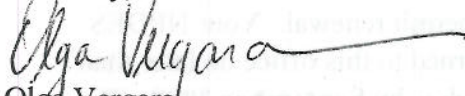
Since your project is in the coastal zone or can reasonably be expected to affect the resources of the coastal zone, under the provisions of the Coastal Zone Management Act, 16 USC §1451 et seq., and 40 CFR §122.49 (d), you should provide EPA and the Massachusetts Coastal Zone Management (CZM) office with the following statement: **"The proposed activity complies with the policies of the Massachusetts approved coastal management program and will be conducted in a manner consistent with such policies."** In addition to this statement, you must briefly describe how the proposal is consistent with the relevant CZM enforceable policies.

The Massachusetts CZM office will also need a copy of your permit application in order to conduct a federal consistency review. Further information about this process can be obtained from the Project Review Coordinator, Massachusetts Coastal Zone Management Office, 251 Causeway Street, Suite 800, Boston, MA 02114, telephone (617) 626-1219. Applicants and/or permittees can download and review the CZM federal consistency process information at: http://www.epa.gov/region1/npdes/epa_attach.html#epaf

Please be reminded that your permit is issued jointly by the US EPA and the Massachusetts Department of Environmental Protection (MA DEP) and you are obligated to submit appropriate State renewal applications to the DEP. Any questions regarding the State application process should be directed to Robin Murphy, DEP Surface Water Discharge Permit Program at (617) 767-2872.

If you do not access to the internet in order to download these forms or if you have any questions about the application requirements, please email me at vergara.olga@epa.gov or call me at telephone # (617)918-1519.

Sincerely,



Olga Vergara
Environmental Protection Specialist
Municipal Assistance Unit

Enclosures

cc: MA Department of Environmental Protection

SEW - ICIS

2/27/08

R. Beartman (email sent re
this mailing by
O. Vergara)